

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
ST. LOUIS DIVISION**

Marita Johnson
8113 Marilyn Court
St Louis, MO 63134

Plaintiff,

v.

Vegalo, LLC d/b/a Frontier Financial Group
c/o Paula Engelbrecht, Registered Agent
849 Gleamstar Avenue
Las Vegas, NV 89123

Defendant.

Case No.:

Judge:

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT COLLECTION
PRACTICES ACT AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

JURISDICTION AND VENUE

1. Jurisdiction is founded on 28 U.S.C. §1331 pursuant to the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692. Venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

FACTS COMMON TO ALL COUNTS

2. Plaintiff is a “consumer” as defined by 15 U.S.C. §1692a(3).
3. Plaintiff incurred a “debt” as defined by 15 U.S.C. §1692a(5).
4. At the time of the communications referenced herein, Defendant either owned the debt or was retained by the owner to collect the debt.
5. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §1692a(6).
6. Plaintiff filed this claim within the timeframe permitted under the FDCPA.
7. On or around December 19, 2009, Plaintiff retained an attorney to file for bankruptcy.

8. On or around February 1, 2010, Defendant telephoned Plaintiff at Plaintiff's place of employment and left a message with Plaintiff's coworker ("Marie") requesting that Plaintiff return Defendant's call.
9. On or around February 1, 2010, Plaintiff telephoned Defendant in response to the above referenced communication.
10. During this communication, Plaintiff notified Defendant that Plaintiff was represented by a bankruptcy attorney and attempted to provide Plaintiff's attorney's contact information.
11. During this communication, Defendant repeatedly refused to document Plaintiff's attorney's contact information and falsely represented that Plaintiff had hired a fake attorney.
12. On or around February 1, 2010, Plaintiff telephoned Defendant again in an effort to provide Plaintiff's attorney contact information, but Defendant refused to speak to Plaintiff.
13. Despite Plaintiff's notice, Defendant telephoned Plaintiff's place of employment several times thereafter on or around February 1, 2010.
14. During one of these communications, Defendant again spoke to Marie and disclosed that Plaintiff owed a debt.
15. Defendant damaged Plaintiff emotionally and mentally and caused Plaintiff substantial anxiety and stress.
16. Defendant violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

17. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
18. Defendant violated 15 U.S.C. §1692c in that it communicated with Plaintiff notwithstanding Plaintiff's notice that Plaintiff was represented by an attorney.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
20. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party and failed to comply with 15 U.S.C. §1692b.

COUNT THREE

Violation of the Fair Debt Collection Practices Act

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
22. Defendant violated 15 U.S.C. §1692c in that it communicated with a third party and disclosed that Plaintiff owed the debt.

COUNT FOUR

Violation of the Fair Debt Collection Practices Act

23. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
24. Defendant violated 15 U.S.C. §1692d in that Defendant repeatedly or continuously telephoned Plaintiff and/or another person with the intent to annoy, abuse, and/or harass that person.

COUNT FIVE

Violation of the Fair Debt Collection Practices Act

25. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
26. Defendant violated 15 U.S.C. §1692e by making misrepresentations during its communications with Plaintiff.

COUNT SIX

Violation of the Fair Debt Collection Practices Act

27. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
28. The Defendant violated 15 U.S.C. §1692f in that its actions were unfair and/or unconscionable means to collect the debt.

JURY DEMAND

29. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

30. Plaintiff prays for the following relief:
- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
 - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Timothy J. Sostrin
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